

8706. Misbranding of Sirop D'Aniz (Sirup of Anise). U. S. * * * v. 140 Bottles and 3 Dozen Bottles of Sirop D'Aniz (Sirup of Anise). Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 12682, 12684. I. S. Nos. 18581-r, 18373-r. S. Nos. E-2201, E-2238.)

On May 27, 1920, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 140 bottles and 3 dozen bottles of a product, labeled in part "Sirop D'Aniz," consigned by J. A. E. Gauvin, Lowell, Mass., remaining unsold in the original unbroken packages at Waterville, Me., alleging that the article had been shipped on or about October 9, 1919, and transported from the State of Massachusetts into the State of Maine, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of morphine acetate, oil of anise, sugar, alcohol, and water.

Misbranding of the article was alleged in the libels for the reason that the packages bore certain statements regarding the curative or therapeutic effects thereof, as follows, (wrapper) "For babies * * * This syrup is administered for Infantile Colics, Dysentery, Coughs, Colds, Sleeplessness, etc. For babies. This syrup is administered in cases of Colic, Diarrhea, Dysentery, Painful Dentition, Coughs, Colds, Sleeplessness, etc.," (circular) "(For babies) * * * a preparation for soothing pain in cases of Colic, Dysentery, Coughs, Colds and Sleeplessness. Recommended for babies and children when the process of dentition is painful. (For babies) * * * A preparation for soothing pain in cases of Colic, Dysentery, Colds and Chills (Refroidissements). Recommended for babies and children when dentition is painful and when wanting sleep," which said statements were false and fraudulent in that the article contained no ingredient or ingredients capable of producing the therapeutic or curative effects claimed for it in said statements.

On June 17, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8707. Adulteration of tomato purée. U. S. * * * v. 24 Cases of Tomato Purée. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12866. I. S. No. 9072-r. S. No. C-1955.)

On June 5, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 24 cases of tomato purée, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the W. B. Newlon Co., Crowley, Colo., on March 19, 1920, and transported from the State of Colorado into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "O-Joy Brand Puree The Fowler Canning and Mfg. Co., Fowler, Colo. W. B. Newlon Co. Crowley, Colo."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On September 17, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*